



PATENT APPLICATION
Customer Number: 22,852
Attorney Docket No. 07705.0002-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Arthur T. Sands et al.) Group Art Unit: 1636
)
Application No.: 09/639,453) Examiner: To be assigned
)
Filed: August 15, 2000)
)
For: AN INDEXED LIBRARY OF)
CELLS CONTAINING)
GENOMIC MODIFICATIONS)
AND METHODS OF MAKING)
AND UTILIZING THE SAME)

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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449 (Form 1449). This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Form 1449 lists one foreign language document. PCT Application WO 98/24918 is in German. A copy of Canadian Patent Application No. 2,274,092, which has essentially the same title, and identical inventorship, classification, and abstract to WO 98 98/24918, is submitted herewith in lieu of an English translation of WO

98/24918. Both Canadian Patent Application No. 2,274,092 and WO 98/24918 claim priority to the same German Patent Application No. 196 50 714.6.

In addition, Applicants attach copies of the cited pending U.S. Patent Application Serial Numbers 08/728,963, 08/942,806, and 09/570,923 in conformance with 37 C.F.R. §1.98 (a)(2)(iii).

Copies of the other documents listed in Form 1449 were previously submitted by the Applicants, or were cited by the Examiner, in one of the following prior United States Patent Applications: Serial No. 08/942,806, filed October 2, 1997; Serial No. 08/726,867, filed October 4, 1996, now U.S. Patent No. 6,136,566, issued October 24, 2000; Serial No. 08/728,963, filed October 11, 1996; or Serial No. 08/907,598, filed August 8, 1997, now U.S. Patent No. 6,139,833, issued October 31, 2000. Applicants rely upon all of those applications for the benefits provided in 35 U.S.C. 120.

Applicants respectfully request that the Examiner consider the documents listed in Form 1449 and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: March 5, 2001

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